

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

Chapter 15 Case

Case No. 10-13164 (BRL)

Jointly Administered

Adv. Pro. No. 10-03496 (BRL)

Administratively Consolidated

ORAL ARGUMENT REQUESTED

This Notice of Motion to Dismiss is related to
the Following Adversary Proceeding:

10-03635

NOTICE OF MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Hapoalim (Switzerland) Ltd.'s Motion to Dismiss the Plaintiffs' Fifth Amended Complaint, dated August 11, 2021, in the above-captioned action, set forth at Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant Hapoalim (Switzerland) Ltd. ("Defendant") (sued as Bank Hapoalim Switzerland Ltd.) will move this Court for an order dismissing with prejudice the fifth amended complaint filed by the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021
New York, New York

Respectfully Submitted,

HERBERT SMITH FREEHILLS NEW YORK
LLP

By: s/ Scott S. Balber

Scott S. Balber
Jonathan C. Cross
450 Lexington Ave., 14th Floor
New York, New York 10017
Tel.: (917) 542-7600
scott.balber@hsf.com
jonathan.cross@hsf.com

Counsel for Defendant Hapoalim (Switzerland) Ltd.